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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 UNITED STATES OF AMERICA,
12
13 vs. Plaintiff/Respondent,
14 VICTOR SAVCHENKO,
15 Defendant/Petitioner.


CASE NO. 01cr1652 JM

ORDER DENYING MOTION FOR
LEAVE TO PROCEED IN FORMA
PAUPERIS

16 On April 20, 2009 Defendant Victor Savchenko submitted a motion for leave to appeal in
17 forma pauperis. The court denies the motion without prejudice, not because Defendant fails to qualify
18 for in forma pauperis status, but because there is not presently an appealable order pending in this
19 action. Briefing on Defendant's 28 U.S.C. §2255 motion will be complete on June 19, 2009.¹

20 **IT IS SO ORDERED.**

21 DATED: April 24, 2009

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23 Hon. Jeffrey T. Miller
United States District Judge

24 cc: All parties
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28 ¹ On March 30, 2009 the court denied an earlier request to proceed in forma pauperis because there is no filing fee associated with the commencement of a motion brought pursuant to 28 U.S.C. §2255.